

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	0

MR. SPEAKER:

Your Committee on **Veterans Affairs and Public Safety**, to which was referred House Bill 1512, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, line 9, delete "means an individual over sixty-five (65) years
- 2 of age who" and insert **"has the meaning set forth in**
- 3 **IC 12-7-2-131.3."**
- 4 Page 1, delete lines 10 through 12.
- 5 Page 4, line 15, delete "and" and insert **"or"**.
- 6 Page 4, line 37, after "the" insert **"voluntary"**.
- 7 Page 5, line 41, after "plan" insert **"agreement"**.
- 8 Page 6, line 2, after "and" insert **"voluntary"**.
- 9 Page 6, between lines 24 and 25, begin a new paragraph and insert:
- 10 **"SECTION 9. IC 10-13-5-8.2 IS ADDED TO THE INDIANA**
- 11 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
- 12 **[EFFECTIVE JULY 1, 2009]: Sec. 8.2. The clearinghouse may**
- 13 **provide notification under section 8 or 8.1 of this chapter to a**
- 14 **broadcaster or an electronic billboard operator that:**
- 15 **(1) is located in a particular county; or**
- 16 **(2) provides services in a particular county;**

1 **in which a missing endangered adult is likely to be located."**

2 Page 7, between lines 5 and 6, begin a new paragraph and insert:

3 "SECTION 11. IC 10-13-5-12 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2009]: **Sec. 12. The department shall adopt**
6 **rules under IC 4-22-2 concerning the type of proof that the**
7 **clearinghouse or a law enforcement agency must have concerning**
8 **whether a missing individual is a missing endangered adult in**
9 **order for information about the missing individual to be**
10 **transmitted under the silver alert program.**

11 SECTION 12. IC 10-13-5-13 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2009]: **Sec. 13. Nothing in this chapter shall**
14 **be construed to authorize the use of the federal emergency alert**
15 **system unless otherwise authorized by federal law.**

16 SECTION 13. IC 12-7-2-131.3, AS ADDED BY P.L.140-2005,
17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2009]: Sec 131.3. "Missing endangered adult", for purposes
19 of IC 12-10-18, means an individual at least eighteen (18) years of age
20 who is reported missing to a law enforcement agency **or rescue**
21 **services provider** and is, or is believed to be:

- 22 (1) a temporary or permanent resident of Indiana;
- 23 (2) at a location that cannot be determined by an individual
- 24 familiar with the missing individual; and
- 25 (3) incapable of returning to the missing individual's residence
- 26 without assistance by reason of:
 - 27 (A) mental illness;
 - 28 (B) mental retardation;
 - 29 (C) dementia; or
 - 30 (D) another physical or mental incapacity of managing or
 - 31 directing the management of the individual's property or
 - 32 providing or directing the provision of self-care.

33 SECTION 14. IC 12-7-2-163.7 IS ADDED TO THE INDIANA
34 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2009]: **Sec. 163.7. "Rescue services**
36 **provider", for purposes of IC 12-10-18, means:**

- 37 (1) a firefighter;
- 38 (2) a paramedic;

- (3) an emergency medical technician;
- (4) a physician licensed under IC 25-22.5;
- (5) a nurse licensed under IC 25-23; or
- (6) another person who provides emergency medical services in the course of the person's employment.

The term includes a member of a rescue squad.

SECTION 15. IC 12-7-2-174.8, AS ADDED BY P.L.140-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 174.8. "Endangered adult medical alert" means an alert indicating that law enforcement officials **or rescue services providers** are searching for a missing endangered adult.

SECTION 16. IC 12-10-18-1, AS ADDED BY P.L.140-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) A law enforcement agency **or rescue services provider** that receives a notification concerning a missing endangered adult from:

(1) the missing endangered adult's:

- (A) guardian;
- (B) custodian; or
- (C) guardian ad litem; or

(2) an individual who:

- (A) provides the missing endangered adult with home health aid services;
- (B) possesses a health care power of attorney for the missing endangered adult; or
- (C) has evidence that the missing endangered adult has a condition that may prevent the missing endangered adult from returning home without assistance;

shall prepare an investigative report on the missing endangered adult, if, based on the notification, the law enforcement agency **or rescue services provider** has reason to believe that an endangered adult is missing.

(b) The investigative report described in subsection (a) may include the following:

- (1) Relevant information obtained from the notification concerning the missing endangered adult, including the following:
 - (A) A physical description of the missing endangered adult.
 - (B) The date, time, and place that the missing endangered

1 adult was last seen.

2 (C) The missing endangered adult's address.

3 (2) Information gathered by a preliminary investigation, if one
4 was made.

5 (3) A statement by the law enforcement officer in charge **or**
6 **rescue services provider** setting forth that officer's **or provider's**
7 assessment of the case based upon the evidence and information
8 received.

9 SECTION 17. IC 12-10-18-2, AS ADDED BY P.L.140-2005,
10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2009]: Sec. 2. The law enforcement agency **or rescue**
12 **services provider** shall prepare the investigative report described by
13 section 1 of this chapter as soon as practicable, and if possible not later
14 than five (5) hours after the law enforcement agency **or rescue services**
15 **provider** receives notification of a missing endangered adult."

16 Page 7, line 9, after "agency" insert "**or rescue services provider**".

17 Page 7, line 11, after "agency" insert "**or rescue services provider**".

18 Page 7, line 13, after "agencies" insert "**or rescue services**
19 **providers**".

20 Page 7, line 13, after "jurisdiction" insert "**or operate**".

21 Page 7, line 15, after "agencies" insert "**or rescue services**
22 **providers**".

23 Page 7, line 15, after "jurisdiction" insert "**or operate**".

24 Page 7, line 17, after "agencies" insert "**or rescue services**
25 **providers**".

26 Page 7, line 19, after "agency" insert "**or rescue services provider**".

27 Page 7, line 21, after "agencies" insert "**or rescue services**
28 **providers**".

29 Page 7, line 30, delete "by" and insert "**as part of**".

30 Page 7, line 33, after "agency" insert "**or rescue services provider**".

31 Page 7, line 37, after "agency" insert "**or rescue services provider**".

32 Page 8, between lines 11 and 12, begin a new paragraph and insert:

33 "SECTION 19. IC 12-10-18-4, AS ADDED BY P.L.140-2005,
34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2009]: Sec. 4. A law enforcement agency **or rescue services**
36 **provider** may begin an investigation concerning a missing endangered
37 adult as soon as possible after receiving notification of the missing
38 endangered adult.

1 SECTION 20. IC 12-10-18-5, AS ADDED BY P.L.140-2005,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2009]: Sec. 5. An individual described in section 1(a)(1) or
 4 1(a)(2) of this chapter who notifies a law enforcement agency **or**
 5 **rescue services provider** concerning a missing endangered adult shall
 6 notify the law enforcement agency **or rescue services provider** when
 7 the missing endangered adult is found.

8 SECTION 21. IC 12-10-18-6, AS ADDED BY P.L.140-2005,
 9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2009]: Sec. 6. (a) A broadcaster or newspaper that receives a
 11 report of a missing endangered adult from a law enforcement agency
 12 **or rescue services provider** under section 3 of this chapter is immune
 13 from civil liability for an act or omission related to:

14 (1) the broadcast or publication of information contained in the
 15 report, including:

16 (A) a description of the missing endangered adult; and

17 (B) any other relevant information that would assist in locating
 18 the missing endangered adult; or

19 (2) the decision of the broadcaster or newspaper not to broadcast
 20 or publish information contained in the report.

21 (b) The civil immunity described in subsection (a) does not apply to
 22 an act or omission that constitutes gross negligence or willful, wanton,
 23 or intentional misconduct."

24 Page 8, delete lines 12 through 19.

25 Renumber all SECTIONS consecutively.

(Reference is to HB 1512 as introduced.)

and when so amended that said bill do pass.

Representative Tincher